

*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150*

Jean M. Lorizio, Esq.
Chairman

MEMORANDUM AND ORDER ON LICENSEE'S
REQUEST FOR RECONSIDERATION

**CB AND B INC. D/B/A COLONIAL HOTEL
625 BETTY SPRING ROAD
GARDNER, MA 01440
LICENSE#: 00012-HT-0436**

CB and B Inc. d/b/a Colonial Hotel (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "ABCC" or "Commission") held a hearing on Tuesday, September 1, 2020 regarding alleged violations of:

- 1) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 37 (June 6, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 2) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Massachusetts Executive COVID-19 Order No. 40 (June 19, 2020) - Violation of sector specific workplace safety standards for restaurants to address COVID-19;
- 3) 204 CMR 2.05 (2) Permitting an Illegality on the Licensed Premises, to wit: Violation of Mass. Exec. COVID-19 Order No. 46 (August 7, 2020)

By decision dated September 22, 2020 the Commission found the Licensee in violation of the charges and indefinitely suspended the License effective forthwith until further written order from this Commission.

The Commission stated that it would consider issuing a further order upon written request of the Licensee showing good cause to reconsider this indefinite suspension. Good cause for the Commission would include, but not be limited to, the Licensee's receiving approval from the Massachusetts Department of Labor Standards ("DLS") as to a reopening plan.

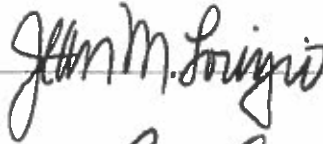
On October 14, 2020, counsel for the Licensee submitted a written request to reconsider the indefinite suspension. On October 15, 2020, the Commission received the notice of approval from Massachusetts Department of Labor Standards ("DLS").

CONCLUSION

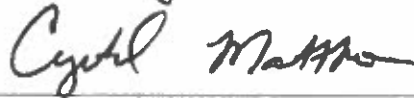
Based on the evidence presented, the Commission reconsiders and reverses its prior order of **INDEFINITE SUSPENSION** of the license of CB and B Inc. d/b/a Colonial Hotel **effective forthwith**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah A. Baglio, Commissioner



Dated: October 15, 2020

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Kyle E. Gill, Esq., Associate General Counsel
Joe Di Cicco, Investigator
David Bolcome, Investigator
Michael Flanagan, Dept. of Labor Standards
William J. Morrissey, Esq.
Administration, File